

RESIDENCY FOR TUITION CLASSIFICATION

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Refer to the residency section (<http://financialaid.colostate.edu/residency/>) of our website for more information.

Classification of students for tuition purposes is governed by state statute ("tuition law") which sets forth conditions for a student being considered as "in-state" for purposes of tuition classification. The tuition law is contained in sections 23-7-101 to 23-7.4-204 of the Colorado Revised Statutes and in published policies of the Colorado Commission on Higher Education (CCHE). Although individuals may be considered state residents for voting or other legal purposes after being in the state for a short period of time, the tuition law specifies additional requirements for classification as "in-state" for tuition purposes. The tuition law, which applies to all public institutions of higher education in Colorado, is subject to judicial interpretation and can be changed from year to year by the Colorado Legislature. CSU must apply the rules set forth in the Colorado Revised Statutes, and is not free to make exceptions except as specifically permitted under the statutes and CCHE policies.

Note: This information is considered to be general guidance and is not legal advice. Refer to state statute to review the current law.

Definition of "In-State Residency"

Under the Colorado tuition law, the term "in-state" student means: "A student who has been domiciled in Colorado for one year or more immediately preceding the first day of classes for the term for which such status is claimed." Further the tuition law states: "Attendance at an institution of higher education, public or private, within the state of Colorado shall not alone be sufficient to qualify for domicile in Colorado."

In-state classification requires domicile in Colorado for 12 months on or prior to the first day of classes of each semester. "Domicile" is the term used to describe the place where a person has chosen to make a permanent and fixed home. Domicile is made up of two components: physical presence and evidence of intent. Both physical presence and evidence of intent must be established to begin the domicile year. A student can only establish domicile in Colorado for tuition purposes if they intend to reside permanently in the state and meet the definition of a "Qualified Person." A qualified person is one who is (a) 22 years of age or older, (b) a post-baccalaureate graduate student, or (c) an emancipated minor. (A minor who is married for 12 months is presumed to be emancipated.) A person must be qualified under one of these categories in order to begin the 12-month period of domicile for purposes of in-state tuition. Unemancipated minors qualify for in-state tuition if the parents have been domiciled in Colorado for one year. Exceptions to One Year Domicile (<https://financialaid.colostate.edu/exceptions-to-1-year-domicile-requirements/>) are in this section and also online.

Initial residency determination for tuition purposes of any student enrolling at CSU is determined by the Office of Admissions (<http://admissions.colostate.edu/>). To be initially considered for in-state classification you must answer all residency questions completely and accurately on the application and submit requested evidence substantiating their claim. Failure to do so will result in classification

as out-of-state for tuition purposes. The initial determination may be changed if additional evidence regarding the student's eligibility for in-state classification is received.

Petition for Reclassification

A petition may be filed if a student wishes to contest out-of-state classification or if the student has subsequently become eligible for in-state status. Petition materials may be obtained from the Office of Financial Aid (<http://financialaid.colostate.edu/>). Petitions will be processed only for students who have been admitted to CSU and are currently enrolled for the semester for which they are requesting a change in classification.

A student's current tuition classification will remain until they have received notification from the Office of Financial Aid (<https://financialaid.colostate.edu/petition-process-and-deadlines/>) Tuition Classification Officer indicating a residency change has been approved. Students who are petitioning for in-state classification remain responsible for paying their tuition based upon current tuition classification. Students are strongly urged to petition as early as possible within the submission date window provided on the Office of Financial Aid website (<https://financialaid.colostate.edu/petition-process-and-deadlines/>) in order to receive a decision regarding their tuition classification prior to the beginning of the semester.

Petition Process/Deadline

The Office of Financial Aid (<http://financialaid.colostate.edu/>) must receive completed petitions no later than the published deadline date for the semester for which the student is petitioning. Deadlines (<https://financialaid.colostate.edu/petition-process-and-deadlines/>) are provided on the Office of Financial Aid (<http://financialaid.colostate.edu/>) website. Petitions will not be accepted after the published deadline date and incomplete petitions will not be accepted and/or reviewed for that semester, and the tuition classification and tuition assessment will remain nonresident for that term.

Students will be notified of the results of their petition by CSU email. Please allow 4-8 weeks for notification. If additional information is required, the additional information must be submitted within the requested time frame unless special arrangements are made with the Tuition Classification Officer.

Decisions made by the Tuition Classification Officer may be appealed to the University's Residency Appeals Committee. A student wanting to appeal the decision to the Residency Appeals Committee must contact the Office of Financial Aid (<http://financialaid.colostate.edu/>) no later than the appeal date listed in the letter in which the decision was conveyed to the student. The decision of the Residency Appeals Committee is the final CSU determination for that specific semester. In addition, there are no provisions in the Tuition Classification Statutes for retroactive petitioning.

The fact that a student does not qualify for in-state status in any other state does not guarantee in-state status in Colorado; in-state classification is governed solely by Colorado statute. The tuition classification statute places the burden of proof on the petitioner to provide clear and convincing evidence of a change in eligibility for in-state tuition once the student has registered.

Any student who provides false information to avoid paying out-of-state tuition may be subject to legal and/or disciplinary actions.

In-State Status: Other Circumstance

Exceptions to the one-year residence requirement exist for the following:

- Colorado National Guard members
- Active-duty military stationed in Colorado on permanent orders in the last 12 years
- Honorably-discharged members of the U.S. armed forces
- Active-duty military members domiciled in Colorado prior to enlistment
- Canadian military stationed in Colorado
- Employees of companies moving to Colorado receiving government economic incentives
- Children of new faculty members at Colorado state colleges and universities
- 4 year rule and complete junior year of high school in Colorado
- A student, other than a nonimmigrant alien who attended a Colorado high school for three years who is admitted into a Colorado Institution of Higher Education within twelve months after graduation or completing a GED in Colorado.

For detailed explanation of the requirements for these exceptions, including spouse and child eligibility, go to the Office of Financial Aid (<http://financialaid.colostate.edu/residency/>) website or review the Colorado Higher Education Residency Guide (<https://cdhe.colorado.gov/students/preparing-for-college/residency-requirements/summary-of-tuition-classification-regulations/>).